

March 04, 2010

CLERK, U.S. BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA

0002460427

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CITIZENS BUSINESS BANK

12 **UNITED STATES BANKRUPTCY COURT**

13 **EASTERN DISTRICT OF CALIFORNIA**

14 **FRESNO DIVISION**

15 In re

CASE NO. 09-17500-A-11

16 ST. JAMES & ENNIS HANFORD
17 INVESTMENT, LLC,

DC No. FRB-1

18 Debtor.

Chapter 11

19 **ORDER ON CITIZENS BUSINESS**
20 **BANK'S MOTION FOR ORDER: (1)**
21 **GRANTING RELIEF FROM THE**
22 **AUTOMATIC STAY PURSUANT TO 11**
23 **U.S.C. §§ 362(d)(1), (3); OR IN THE**
24 **ALTERNATIVE (2) DISMISSING**
25 **CHAPTER 11 CASE PURSUANT TO 11**
26 **U.S.C. § 1112**

Continued Hearing Date

Date: March 1, 2010

Time: 9:00 a.m.

Div.: Dept. "A", Ctrm. 11

RECEIVED

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CLERK, U.S. BANKRUPTCY COURT
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175-0313

ORDER ON MOTION FOR RELIEF FROM THE AUTOMATIC STAY

1 A hearing on the above-referenced motion was held at the date, time, and place set forth
2 above. Appearances were noted on the record. For the reasons set forth on the record and in the
3 minutes of the proceedings, it is hereby:

4 **ORDERED, ADJUDGED AND DECREED**, that the Motion seeking Relief from the
5 Automatic Stay with respect to the Collateral is granted in accordance with 11 U.S.C. §§362(d)(1)
6 and (3), and that the relief granted by this order pertains to the real property located in Hanford,
7 California, and legally described on Exhibit A (the "Property") and any other real or personal
8 property constituting Citizens Business Bank's collateral (collectively, the "Collateral").

9 **IT IS FURTHER ORDERED**, that Citizens Business Bank may pursue any and all of its
10 remedies as to the Collateral under applicable nonbankruptcy law.

11 ~~IT IS FURTHER ORDERED, that this Order shall be binding and effective despite any~~
12 ~~conversion of the bankruptcy case to a case under any other chapter of Title 11 of the United~~
13 ~~States Code~~

14 **IT IS FURTHER ORDERED**, that the 14-day stay provided by Federal Rule of
15 Bankruptcy Procedure 4001(a)(3) is waived.

16 ~~IT IS FURTHER ORDERED, that the Court shall hold a continued hearing on Citizens~~
17 ~~Business Bank's request to dismiss the case to be held, as further set out in the civil minutes of the~~
18 ~~proceedings~~

19 FRANDZEL ROBINS BLOOM & CSATO, L.C.

20
21
22 By: /S/ Michael Gerard Fletcher
23 MICHAEL GERARD FLETCHER
24 Attorneys for Secured Creditor, CITIZENS
25 BUSINESS BANK
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1 LANG, RICHERT & PATCH
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4 By: /S/ Rene Lastreto

5 RENE LASTRETO

6 Attorneys for Secured Creditor, CITIZENS
7 BUSINESS BANK

Dated:

Mar 04, 2010


United States Bankruptcy Judge

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EXHIBIT "A"

Legal Description

Real property In the unincorporated area of the County of KINGS,
State of CALIFORNIA, described as follows:

PARCEL 1: APN 007-360-016

THE SOUTHWEST QUARTER OF SECTION- 14, TOWNSHIP
18 SOUTH, RANGE 21 EAST, MOUNT DIABLO BASE AND
MERIDIAN, IN THE UNINCORPORATED AREA, COUNTY OF
KINGS, STATE OF CALIFORNIA, ACCORDING TO THE
OFFICIAL PLAT THEREOF.

EXCEPTING THEREFROM AN UNDIVIDED ONE-HALF
INTEREST IN AND TO ALL OIL, GAS AND OTHER
HYDROCARBONS SUBSTANCES AND MINERALS IN AND
UNDER THE LAND, AS RESERVED IN THE DEED
EXECUTED 'BY ARTHUR WILLIAM MORGAN AND SADIE
MORGAN, HIS WIFE, ET AL, AND RECORDED JULY 24; 1951,
IN BOOK 499, PAGE 356 OF OFFICIAL RECORDS, KINGS
COUNTY RECORDS.

ALSO EXCEPTING THEREFROM THOSE PORTIONS,
GRANTED TO THE COUNTY OF KINGS IN THE DEED
RECORDED FEBRUARY 25, 1965, IN BOOK 868, PAGE 765,
AND IN THE DEED RECORDED JANUARY 20,1967, IN BOOK
900, PAGE 168, AND IN THE DEED RECORDED JANUARY

EXHIBIT A

22,1998, AS INSTRUMENT NO. 98-1225/ OF OFFICIAL
RECORDS; KINGS COUNTY RECORDS.

ALSO EXCEPTING THEREFROM THE RECORDED
RAILROAD RIGHT-OF-WAY OVER THE EASTERLY 50 FEET
OF SAID PARCEL.

PARCEL 2: APN 007-010-031

THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP
28 SOUTH, RANGE 21 EAST, MOUNT DIABLO BASE AND
MERIDIAN, IN THE COUNTY OF KINGS, STATE OF
CALIFORNIA.

EXCEPTING THEREFROM THAT PORTION DESCRIBED AS
FOLLOWS:

BEGINNING AT A POINT ON THE NORTH LINE OF SAID
SECTION, 1454.75 FEET EAST OF THE NORTHWEST
CORNER OF SAID SECTION; THENCE SOUTH 365 FEET TO
A POINT ON THE CENTER LINE OF PEOPLE'S DITCH;
THENCE ALONG SAID CENTER LINE NORTH 80°55' EAST,
31.7 FEET AND NORTH 39°38' EAST, 468.7 FEET TO A POINT
ON THE NORTH LINE OF SAID SECTION; THENCE WEST
331.3 FEET TO THE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM THE EASTERLY 50 FEET.

1 ALSO EXCEPTING THEREFROM THOSE PORTIONS OF SAID
2 LAND CONVEYED TO THE COUNTY OF KINGS IN
3 DOCUMENT RECORDED DECEMBER 17,1964 IN BOOK 865
4 AT PAGE 297, OFFICIAL RECORDS, AS INSTRUMENT NO.
5 16126.

6
7 ALSO EXCEPTING THEREFROM ALL OIL, GAS AND OTHER
8 HYDROCARBON SUBSTANCES AND MINERALS IN AND
9 UNDER SAID LAND.

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11 APN: 007-360-016 and 007~010-031
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